



217/782-6751

Refer to: 1618100015 -- Rock Island County
John Deere Harvester Works
ILD025423054
Compliance File

COMPLIANCE INQUIRY LETTER

Certified # P131206010

March 20, 1989

John Deere Harvester Works
Attn: Robert Dick
Environmental Coordinator
1100-13th Avenue
East Moline, Illinois 61244

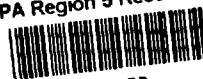
Dear Mr. Dick:

The purpose of this letter is to address the status of the above-referenced facility in relation to the requirements of 35 Ill. Adm. Code, Subtitle G and to inquire as to your position with respect to the apparent violations identified in Attachment A and your plans to correct these apparent violations. The Agency's findings of apparent non-compliance listed in Attachment A are based on an inspection completed on January 24, 1989. For your convenience a copy of the inspection report is enclosed with this letter.

Please submit in writing, within fifteen (15) calendar days of the date of this letter, the reasons for the identified violations, a description of the steps which have been taken to correct the violations and a schedule, including dates, by which each violation will be resolved. The written response, and two copies of all documents submitted in reply to this letter, should be sent to the following:

Angela Aye Tin, Manager
Technical Compliance Unit
Compliance Section
Illinois Environmental Protection Agency
Division of Land Pollution Control
2200 Churchill Road
Post Office Box 19276
Springfield, Illinois 62794-9276

EPA Region 5 Records Ctr.



305355



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Further, take notice that non-compliance with the requirements of the Illinois Environmental Protection Act and rules and regulations adopted thereunder may be the subject of enforcement action pursuant to either the Illinois Environmental Protection Act, Ill. Rev. Stat., Ch. 111 1/2, Sec. 1001 et seq. or the federal Resource Conservation and Recovery Act (RCRA), 42 U.S.C. Sec. 6901 et seq.

If you have any questions regarding the above, please contact James J. Jones at 309/693-5462.

Sincerely,

Angela Aye Tin

Angela Aye Tin, Manager
Technical Compliance Unit
Compliance Section
Division of Land Pollution Control

AAT:JJJ:JPR:bjh/1049x/28,29

cc: Division File
Peoria Region
John Richardson
Bill Hutton
James Jones



Attachment A

1. Pursuant to 35 Ill. Adm. Code 722.111, a person who generates a solid waste as defined in Section 721.102, must determine if that waste is a hazardous waste using the following method:
 - a. He should first determine if the waste is excluded from regulation under Section 721.104.
 - b. He must then determine if the waste is listed as a hazardous waste in Subpart D of Part 721.

Note: Even if a waste is listed, the generator still has an opportunity under Section 720.122 and 40 CFR Section 260.22 to demonstrate that the waste from his particular facility or operation is not a hazardous waste.

- c. If the waste is not listed as a hazardous waste in Subpart D of Part 721, he must determine whether the waste is identified in Subpart C of Part 721 by either:
 1. Testing the waste according to the methods set forth in Subpart C of Part 721, or according to an equivalent method approved by the Board under Section 720.120; or
 2. Applying knowledge of the hazard characteristic of the waste in light of the materials or the processes used.

You are in apparent violation of Section 722.111 for the following reason(s): You failed to follow the procedures outlined in this section for two manifested shipments of "waste mineral spirits and 1,1,1, trichloroethane" on Wisconsin manifests #88575 and #88580. They were listed as D001 and should have been F001.

2. Pursuant to 35 Ill. Adm. Code 722.134(a), except as provided in subsections (d), (e) or (f), a generator may accumulate hazardous waste on-site for 90 days or less without a permit or without having interim status provided that:
 1. The waste is placed in containers and the generator complies with 35 Ill. Adm. Code 725. Subpart I or the waste is placed in tanks and the generator complies with 35 Ill. Adm. Code 725. Subpart J except 35 Ill. Adm. Code 725.297(c) and 725.309. In addition, such a generator is exempt from all the requirements in 35 Ill. Adm. Code 725. Subparts G and H, except for 35 Ill. Adm. Code 725.211 and 725.214;
 2. The date upon which each period of accumulation begins is clearly marked and visible for inspection on each container;
 3. While being accumulated on-site, each container and tank is labeled or marked clearly with the words, "Hazardous Waste", and



4. The generator complies with the requirements for owners or operators in 35 Ill. Adm. Code 725 Subparts C (Preparedness and Prevention) and D (Contingency Plan and Emergency Procedures) and with 35 Ill. Adm. Code 725.116 (Personnel Training).

You are in apparent violation of 35 Ill. Adm. Code 722.134(a) in that item(s) 4 above was/were not complied with.

Specifically, the requirements of item 1 and/or 4 above (listed by regulation) which were not complied with, as well as the deficiencies observed, are:

- A. Pursuant to 35 Ill. Adm. Code 725.116(a), facility personnel must complete a program of classroom instruction or on-the-job training directed by a person trained in hazardous waste management procedures. The training must be designed to ensure that facility personnel are able to respond to emergencies, and at a minimum meet the applicable requirements of Section 725.116(a)(3). You are in apparent violation of 35 Ill. Adm. Code 725.116(a) for the following reason(s): All facility personnel handling hazardous waste have not completed the program required by Section 725.116(a). Facility personnel that handle mineral spirits in various departments (V, V-2, V-4, K-2, K-3, K-7, M-3, and K-95) throughout the manufacturing plant have not been trained. The amount and type of training depends on the degree of hazard associated with the job.
- B. Pursuant to 35 Ill. Adm. Code 725.116(b), facility personnel must successfully complete the program required in paragraph (a) of this Section upon the effective date of these regulations or six months after the date of their employment or assignment to a facility or to a new position at a facility, whichever is later. Employees hired after the effective date of these regulations must not work in unsupervised positions until they have completed the training requirements of paragraph (a) of this Section. You are in apparent violation of 725.116(b), for the following reason(s): All facility personnel handling hazardous waste have not been trained.
- C. Pursuant to 35 Ill. Adm. Code 725.116(c), facility personnel must take part in an annual review of the initial training required in paragraph (a) of this Section. You are in apparent violation of this Section in that facility personnel have not received an annual review of the initial training.
- D. Pursuant to 35 Ill. Adm. Code 725.116(d), the owner or operator must maintain the following documents and records at the facility:
1. The job title for each position at the facility related to hazardous waste management and the name of the employee filling each job;



2. A written job description for each position listed under paragraph (d)(1) of this Section. This description may be consistent in its degree of specificity with descriptions for other similar positions in the same company location or bargaining unit, but must include the requisite skill, education or other qualifications and duties of facility personnel assigned to each position;
3. A written description of the type and amount of both introductory and continuing training that will be given to each person filling a position listed under paragraph (d)(1) of this Section;
4. Records that document that the training or job experience required under paragraphs (a), (b) and (c) of this Section has been given to and completed by facility personnel.

You are in apparent violation of 35 Ill. Adm. Code 725.116(d) in that item(s) 1, 2, 3, and 4 above were not maintained at the facility.

3. Pursuant to 35 Ill. Adm. Code 855.104 it is required that each shipment of hazardous waste (as well as each shipment of non-hazardous special waste) into, out of or within the State of Illinois be accompanied by a manifest. The manifest must contain the authorization number; the name of the generator and generator number; the name of the hauler and vehicle number; the name of the disposal, treatment or storage site and site number; the quantity and generic name of the hazardous (or non-hazardous special) waste and the Hazardous Waste Identification Number. It also must be signed by the generator, the hauler and the site operator. All parties and the Agency then receive copies of the completed manifest.

You are in apparent violation of 35 Ill. Adm. Code 855.104 for the following reason(s): Your manifests (WI #88576, dated October 8, 1986, and WI #88580, dated December 22, 1987) did not contain the correct hazardous waste identification number for your "waste mineral spirits and 1,1,1, trichloroethane." You identified this waste on both manifests as D001. The waste should have been identified as F001 on the manifests.

AAT:JJJ:JPR:bjh/1049k/30,32